UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER
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ART UNIT	PAPER NUMBER
2178	

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/357,841	OTSUBO, MOTOHIDE
	Examiner	Art Unit	
	Jonathan D. Schlaifer	2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _31 January 2005_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _3-23_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _3-23_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _02 March 2004_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communications: Amendment to RCE filed on 1/31/2005.

2. Claims 3-23 are pending in the case. Claims 1 and 2 have been cancelled. Claims 22-23

have been amended.

3. The objection to claim 22 is withdrawn as necessitated by amendment.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. **Claims 22-23 remain rejected under 35 U.S.C. 102(e) as being anticipated by Blinn**

et al. (USPN 5,897,622—filing date 10/16/1996), hereinafter Blinn.

5. **Regarding independent claim 22,** Blinn discloses a method of editing a plurality of

mark-up language, structured document and generating a resultant document reflecting

the edit results (see Abstract, lines 15-25, pages are generates using templates with

embedded directives), comprising the steps of: (a) acquiring at least a first and a second

of mark-up language, structured documents in a document edit system (in col. 10, lines

15-45, HTML templates are parsed), (b) extracting at least a first and second element in a

first mark-up language document and a third and fourth element in a second mark-up

language document using an element edit statement which specifies the first and third

elements to be extracted by a first common identifier or tag and specifies the second and

fourth elements of by a second common identifier or tag, wherein the elements are

extracted while the relationship of the first and second elements and the third and fourth

elements is maintained (in col. 10, lines 15-45, SQL is used to retrieve information and

the structured relationship is maintained); and (c) generating said resultant document,

wherein said resultant document includes an arrangement of elements extracted in step

(b) such that said first and third elements are arranged together with each being arranged

in association with said second and fourth elements respectively (in col. 10, lines 40-65, a

syntax tree is used to produce an ordered template-based arrangement of the HTML

content) (Note: Figures 4 and 6 also depict graphically the elements of the method.).

6. **Regarding independent claim 23,** A method of editing a plurality of mark-up language

documents each containing a plurality of structured element and generating a resultant

document reflecting the edit results(see Abstract, lines 15-25, pages are generates using

templates with embedded directives),, said method comprising the steps of: (a) acquiring

a first and a second of mark-up language structured documents to be edited into a

document edit system(in col. 10, lines 15-45, HTML templates are parsed), (b) acquiring

an element edit statement into said document edit system, said element edit statement

comprising a plurality of edit instructions for searching at least a first and second element

in the at least first and second mark-up language structured documents(in col. 10, lines

15-45, SQL is used to retrieve information and the structured relationship is maintained);

(c) defining an element search portion, said element search portion containing a plurality

of elements in the at least first and second mark-up language structured documents (SQL

inherently has a defined search portion); (d) implementing match operations between an

element defined in said element edit statement and each of the elements in said element

search portion of each of said first and second mark-up language structured documents,

and ascertaining at least a first and second element of said element search portion of said

first mark-up language structured document which matches at least a first and second

element defined in said element edit statement, and at least a third and fourth element of

said element search portion of said second mark-up language structured document which

matches at least a second element defined in said element edit statement, the matched

element being extracted from said at least first and second mark-up language structured

document if the matched element is indicated as being extracted, the extracted element

being stored in an edit result storage, and said match operations being repeated until

completing all the edit instructions in the element edit statement (in col. 10, lines 15-45,

SQL is a search language which would allow for repeated search querying); and (e)

generating said resultant document, wherein said resultant document includes an

arrangement of elements extracted in step (d)) such that said first and third elements are

arranged together with each being arranged in association with said second and fourth

elements respectively (there is a dynamic page generator which operates in this manner in

col. 10, lines 40-65).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
such that the subject matter as a whole would have been obvious at the time the invention was made to a person
having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
manner in which the invention was made.

7. **Claims 3, 17-18 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Blinn, further in view of Catapult, Inc. ("Microsoft Word 97: Step by Step", 1997)**

8. **Regarding dependent claim 3,** Catapult, Inc., on pages 191-192, describes Microsoft Word's capability to edit multiple documents on a document-by-document basis.

9. **Regarding dependent claim 17,** Blinn fails to disclose acquiring another element edit statement into said document edit system, said another element edit statement being used to edit the elements which have been extracted. However, Catapult, Inc., on page 89, shows that the Find feature in Word is designed to respond to multiple user requests. It was notoriously well known at the time of the invention that users often needed to find and retrieve multiple requests to serve multiple search needs. It would have been obvious to one of ordinary skill in the art at the time of the invention to allow for multiple requests, thereby acquiring another element edit statement into said document edit system, said another element edit statement being used to edit the elements which have been extracted to serve multiple search needs.

10. **Regarding dependent claim 18,** Blinn and Catapult fail to disclose that said another element edit statement comprises another set of document editing instructions which are used for initializing a plurality of variables provided for editing the elements extractedt, pre-editing, post-editing, and arranging the elements extracted. However,it was notoriously well known at the time of the invention that a word processor's search feature would initialize variables relevant to follow-up searches in order to allow the word processor to operate. It would have been obvious to one of ordinary skill in the art at the

time of the invention to follow common word processing practice and arrive at a method

wherein said another element edit statement comprises another set of document editing

instructions which are used for initializing a plurality of variables providing for editing

the elements extracted, pre-editing, post-editing, and arranging the elements extracted in

order to allow the word processor to operate.

11. **Claims 5-6 and 11-12 remain rejected under 35 U.S.C. 103(a) as being unpatentable**

over Blinn, further in view of Jaakkola, et al. ("sgrep – search a file for a structured

pattern"), hereinafter Jaakola

12. **Regarding dependent claim 5,** Blinn fails to disclose that said element edit statement

contains a tage which is delimited using two selected characters, said tag being used to

define an element which is an identified element in the element search portion of the

document. However, Jaakkola on page 5 notes that a region expression may be delimited

by parentheses, and this constitutes a method wherein said element edit statement

contains a tag which is delimited using two selected characters, said tag being used to

define an element which is an identified element in the element search portion of the

document. It would have been obvious to one of ordinary skill in the art at the time of the

invention to follow the teachings of Jaakola to delimit tags in order to successfully define

elements.

13. **Regarding dependent claim 6,** Blinn fails to disclose that the element edit statement

contains a character pattern consisting of normal text characters in sequence. Jaakola on

page 5 indicates that basic expressions, which are the main constituents of searches, may

contain phrases. Hence, this constitutes a method wherein said element edit statement

contains a character pattern consisting of normal text characters in sequence. It would have been obvious to one of ordinary skill in the art at the time of the invention to use normal text characters in sequence because this would use the main constituents of searches.

14. **Regarding dependent claim 11,** Blinn fails to disclose that said element edit statement contains a hierarchy connector defined by inserting no character between first and second element-defining names, said hierarchy connector being used to determine if an an element defined by said first-element defining name involves an element defined by said second element-defining name. However, Jaakkola reveals from the way expressions are built up on page 5 that successive regions are recognized successively. Hence, sgrep as portrayed by Jaakkola would behave as if it had a hierarchy connector defined by inserting no character between first and second element-defining names, said hierarchy connector being used to determine if an element defined by said first element-defining name involves an element defined by said second element-defining name when used upon a structured document. It would have been obvious to one of ordinary skill in the art at the time of the invention to use hierarchy connectors as in Jaakkola because they would help establish the hierarchy of tags.

15. **Regarding dependent claim 12,** Blinn fails to disclose that said element edit statement contains parentheses involving a plurality of element-defining names that are preferentially processed. Jaakkola discloses on page 5 that in sgrep, the element edit statement contains parentheses involving a plurality of element-defining names that are preferentially processed. It would have been obvious to one of ordinary skill in the art at

the time of the invention to use parentheses to establish preferential processing because this is convention and gives the user added flexibility.

16. **Claim 4 remains rejected under 35 U.S.C. 103(a) as being unpatentable over Blinn further in view of Hikida (USPN 5,737,737—filing date 5/19/1993)**

17. **Regarding multiply dependent claim 4,** Blinn fails to disclose a method wherein the elements stored in said edit result storage are further edited before being retrieved from said document edit system. However, Hikida, in col. 37, lines 8-17, discloses that edit processing is an option following a search in order to help process the results of the search. It would have been obvious to one of ordinary skill in the art at the time of the invention to use the teachings of Hikida about processing search results to develop a method wherein the elements stored in said edit result storage are further edited before being retrieved from said document edit system in order to help process the results of the search.

18. **Claims 7 and 9-10 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Blinn further in view of Jaakkola further in view of Parry (USPN 6,077,085—filing date 5/19/1998)**

19. **Regarding dependent claim 7,** Blinn fails to disclos that said element edit statement contains a wild card tag which is defined by a selected character delimited using two selected characters, said wild card tag being used to determine structured layers in the element search portion of the document. Jaakkola discloses, on page 10, a syntax for a wild card tag which is two periods in sequence between identifying blocks delimited by two braces, which are two selected characters. This constitutes a method wherein said

element edit statement contains a wild card tag delimited using two selected characters, said wild card tag being used to determine structured layers in the element search portion of the document. It would have been obvious to one of ordinary skill in the art at the time of the invention to use a wildcard because it would have provided the user with greater flexibility while searching. However, Blinn and Jaakkola fail to disclose that the wild card tag is a single character. However, Parry in col. 7, lines 43-55 shows the use of the single character '*' as a wild card in order to compactly represent a wild card in a search string. It would have been obvious to one of ordinary skill in the art at the time of the invention to use Parry's teachings about the use of the asterisk to represent a wildcard with one character in order to compactly represent a wild card in a search string.

20. **Regarding dependent claim 9,** Blinn fails to disclose a method wherein said element edit statement contains an extraction indicator defined using a selected character and accompanying a character sequence, said extraction indicator being used to extract an element form the element search portion of the document if said character sequence matches the element in the element search position. However, Jaakkola discloses on page 10 the use of "containing" as an extraction indicator accompanying a character sequence, said extraction indicator being used to extract an element from the element search portion of the document if said character sequence matches the element in the element search portion. It would have been obvious to one of ordinary skill in the art at the time of the invention to use an extraction indicator to facilitate information retrieval. However, Blinn and Jaakkola fail to disclose that the extraction indicator is a single character. However, Parry in col. 7, lines 43-55 shows the use of the single character '*'

as a wildcard in order to compactly represent a search operator in a search string. It

would have been obvious to one of ordinary skill in the art at the time of the invention to

use Parry's teachings about compact representation of search operators to represent

"containing" with an arbitrary character in order to compactly represent a search operator

in a search string.

21. **Regarding dependent claim 10,** Blinn fails to disclose that said element edit statement

contains a sequence connector defined by a selected character, said sequence connector

accompanying two element-defining names as both sides of said sequence connector

accompanying two element-defining names at both sides of said sequence connector, said

sequence connector specifying, in the element search portion, two elements positioned in

the same order of said two element-defining names. However, Jaakkola discloses on

page 10 the use of ".." as a sequence connector, said sequence connector accompanying

two element-defining names at both sides of said sequence connector, said sequence

connector specifying, in the element search portion, two elements positioned in the same

order of said two element-defining names. It would have been obvious to one of ordinary

skill in the art at the time of the invention to use a sequence connectior because it would

have given the user greater control over the processing.However, Blinn and Jaakkola fail

to disclose that the wild card tag is a single character. However, Parry in col. 7, lines 43-

55 shows the use of the single character '*' as a wild card in order to compactly represent

an operator in a search string. It would have been obvious to one of ordinary skill in the

art at the time of the invention to use Parry's teachings about compact representation of

search operators to represent ".." with an arbitrary character in order to compactly

represent an operator in a search string.

22. **Claims 8 and 13-16 remain rejected under 35 U.S.C. 103(a) over Blinn, further in**

view of Jaakkola further in view of Costales ("C from A to Z", 1985)

23. **Regarding dependent claim 8,** Blinn fails to disclose a method, wherein said element

edit statement contains a negation indicator which is defined using a selected character

and accompanies an element-defining name, said negation indicator being used to define

an element wherein an element match is not established with a character sequence

immediately following said negation indicator. However, Jaakkola discloses on page 10

that one may use "not containing" as part of a search string as a negation indicator that

accompanies an element-defining name, said negation indicator being used to define an

element wherein an element match is not established with a character sequence

immediately following said negation indication ("not containing indicates what to avoid).

It would have been obvious to one of ordinary skill in the art at the time of the invention

to combine Blinn and Jaakkola in order to allow the user control over the status of

elements in the processing. However, Blinn and Jaakkola fail to disclose that the

negation indicator is a single character. However, Costales, on page 41, indicates that the

minus sign (-) is used in the C language to indicate negation compactly. It would have

been obvious to one of ordinary skill in the art at the time of the invention to denote

negation compactly in the manner of Costales and use a minus sign as a single character

for negation.

24. **Regarding dependent claim 13,** Blinn fails to disclose wherein said element edit

statement contains an AND connector defined using a selected character and

accompanying first and second element-defining names which are provided so as to

sandwich said AND connector, said two element-defining names being used to determine

if the element, which forms part of the element search portion and is defined by said first

element-defining name, either follows or precedes the element which is defined by said

second element-defining name. Jaakkola discloses on page 8 that one may use the '__'

linking keyword in sgrep to provide functionality such that by using the 'in' keyword, it

will work as for an AND connector accompanying first and second element-defining

names which are provided so as to sandwich said AND connector, said two element-

defining names being used to determine if the element, which forms part of the element

search portion and is defined by said first element-defining name, either follows or

precedes the element which is defined by said second element-defining name, because

'__' establishes a joint region based on the two elements. It would have been obvious to

one of ordinary skill in the art at the time of the invention to use an AND connector to

provide logical flexibility in the processing. Blinn and Jaakola fail to disclose that the

AND connector is a single character. However, Costales, on page 236, indicates that the

ampersand (&) is used in the C language to indicate bitwise AND compactly. It would

have been obvious to one of ordinary skill in the art at the time of the invention to denote

the AND operator compactly in the manner of Costales and use an ampersand as a single

character for AND.

25. **Regarding dependent claim 14,** Blinn fails to disclose a method, wherein, if either of said first or second element-defining names sandwiching said AND connector specifies the corresponding element in the document, a match is established therebetween and the corresponding element is extracted and stored in said edit result storage. However, Jaakkola discloses on page 8 that one may use the '__' keyword in sgrep to provide functionality such that by using the '__' keyword, it will work as for an AND connector wherein, if either of said first or second element-defining names sandwiching said AND connector specifies the corresponding element in the document, a match is established therebetween and the corresponding element is extracted and stored in said edit result storage. It would have been obvious to one of ordinary skill in the art at the time of the invention to allow flexible searching in the documents.

26. **Regarding dependent claim 15,** Blinn fails to disclose a method, wherein if a match is established in connection with only one of said first and second element-defining names, the element already stored in said edit result storage is deleted therefrom. Jaakkola discloses on page 7 that one may use the 'equal' keyword to retrieve only matches where both regions are matched to, which inherently involves a method wherein if a match is established in connection with only one of said first and second element-defining names, the element already stored in said edit result storage is deleted therefrom. It would have been obvious to one of ordinary skill in the art at the time of the invention to remove previously stored matches to avoid overflow.

27. **Regarding dependent claim 16,** Blinn fails to disclose a method, wherein said element edit statement contains an OR connector defined using a selected character and

accompanying first and second element-defining names which are provided in a manner

to sandwich said OR connector, said two element-defining names being used to

determine if the element, which forms part of the element search portion and is specified

by either of said first and second element-defining names, is present in the element search

portion of the document. Jaakkola discloses on page 7 that one may use the 'or' keyword

to provide functionality such that wherein said element edit statement contains an OR

connector defined using a selected character and accompanying first and second element-

defining names which are provided in a manner to sandwich said OR connector, said two

element-defining names being used to determine if the element, which forms part of the

element search portion and is specified by either of said first and second element-defining

names, is present in the element search portion of the document, because the keyword's

function is to provide disjunctive searching. It would have been obvious to one of

ordinary skill in the art at the time of the invention to use an OR connector to provide

logical flexibility However, Blinn and Jaakkola fail to disclose that the OR connector is a

single character. However, Costales, on page 237, indicates that the vertical bar (|) is used

in the C language to indicate bitwise OR compactly. It would have been obvious to one

of ordinary skill in the art at the time of the invention to denote the OR operator

compactly in the manner of Costales and use a vertical bar as a single character for OR.

28. **Claims 19-21 remain rejected under 35 U.S.C. 103(a) as being unpatentable over**
Blinn.

29. **Regarding dependent claim 19,** Blinn fails to disclose that the elements stored in said

edit result storage are further edited before being retrieved from said document edit

system. However, it was notoriously well known in the art at the time of the invention that it is common to allow the user to edit data that is being processed in order to give them greater control over the processing. It would have been obvious to one of ordinary skill in the art at the time of the invention to allow the user to further edit the data in order to give them greater control over the processing

30. **Regarding dependent claim 20,** Blinn fails to disclose that said generating step (c) includes generating said resultant document that additionally includes a title heading of elements. However, it was notoriously well known in the art at the time of the invention that tables, such as those produced by the processing of Blinn, often include a title to identify the table. It would have been obvious to one of ordinary skill in the art at the time of the invention to have the table include a title to identify the table.

31. **Regarding dependent claim 21,** it modifies claim 23 in a manner analogous to the way in which claim 20 modifies claim 22 and it is rejected under similar rationale.

Response to Arguments

32. Applicant's arguments filed 1/31/2005 have been fully considered but they are not persuasive.

33. The chief complaint of the Applicant which is used to traverse the Examiner's rejections are that Blinn does not store HTML markup language files, but instead generates them on the fly. However, claim 22 only claims acquiring the documents, which can be met by generating the documents on the fly. Similarly, with respect to claim 23, the documents can be partially generated, temporarily stored in memory and manipulated and as in Blinn and still satisfy the limitations of the claim. The Examiner respectfully submits that the

Applicant's traversal is not valid as it is based on an attempt to harness a technicality that

is not contained in what is actually claimed.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

USPN 5,761,656 (filing date 6/26/1995)—Ben-Shachar

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing
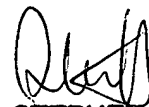
date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Jonathan D. Schlaifer whose telephone number is (571) 272-

4129. The examiner can normally be reached on 8:30-5:00, M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JS

STEPHEN HONG
SUPERVISORY PATENT EXAMINER